



# *Arizona Peace Officer Standards and Training Board*

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## **MINUTES OF THE SEPTEMBER 19, 2018 MEETING OF THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD PHOENIX, ARIZONA**

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on September 19, 2018, at the Arizona Peace Officer Standards and Training Board, located at 2643 E. University Drive, Phoenix, AZ.

### Members Present:

Sheriff Scott Mascher, Yavapai County Sheriff's Office, Chairman  
Assistant Attorney General Paul Ahler, representing Attorney General Mark Brnovich  
Sheriff Mark Dannels, Cochise County Sheriff's Office  
Chief Byron Gwaltney, Pima County Sheriff's Department  
Chief Lawrence Hall, Buckeye Police Department  
Mr. Andrew LeFevre, Grand Canyon University  
Director Charles Ryan, AZ Department of Corrections

### Members Absent:

Sergeant Chris Andraecola, Tucson Police Department  
Sergeant Leo Aparicio, Pinal County Sheriff's Office  
Colonel Frank Milstead, AZ Department of Public Safety  
Chief Alan Rodbell, Scottsdale Police Department  
Mr. Richard Wooten, Public Member

### Staff in Attendance:

Jack G. Lane, Executive Director  
Billy Caldwell, Compliance Specialist  
Mike Deltenre, Compliance Specialist  
Cathy Hawse, Compliance Specialist  
Arlene Heckel, Compliance Specialist  
Mike Orose, Compliance Specialist  
Mark Perkovich, Program Administrator  
Cynthia Sawyer, Training Compliance Specialist  
Sandy Sierra, Administrative Services Officer  
Lori Wait, Compliance Specialist

### Assistant Attorneys General:

Seth Hargraves  
Jeanne Galvin  
Mark Brachtl

**A. Call to Order**

Chairman Mascher called the meeting to order at 10:00 a.m. and asked Sheriff Dannels to lead everyone in reciting the Pledge of Allegiance.

**B. Introductions, Presentations and Announcements**

*Jack G. Lane, Executive Director*

- Assistant Attorney General Jeanne Galvin will provide legal advice to the Board on three final action cases - #17-166 Jeremy W. Cochran; #18-035 Nathaniel L. Lolovich and #18-073 Michael R. Terranova.
- For the record, there are six Board members absent today; Sergeant Chris Andreacola, Sergeant Leo Aparicio, Chief Alan Rodbell, Colonel Frank Milstead, Mr. Richard Wooten and one Board member vacancy (public member).
- Mark Brachtl is the new Assistant Attorney General who will be assisting with hearings.
- Agenda item H will need to be tabled.
- One of the Consent Agenda items is a case involving a DUI with non-aggravating factors. At the January 17, 2018, meeting, the Board discussed non-aggravating DUIs and felt that discipline for this type of DUI should be handled by the agency.

**C. Consent Agenda**

Mr. LeFevre made a motion to accept the Consent Agenda. The motion was seconded by Chief Hall and passed unanimously.

The following meeting minutes were approved as written:

1. Minutes of the Board meeting held on July 18, 2018;  
Minutes of the Executive Director Selection Subcommittee meeting held on August 13, 2018;  
Minutes of the Board meeting held on August 15, 2018, were approved as written.

2. Ministerial Actions:

a. Certification Waivers:

Steven M. Ridgely Jr.	Paradise Valley Police Department
Victor M. Zavala	Cocopah Tribal Police Department
Shaun D. Cox	Colorado City Marshal's Office
Hyrum N. Musser	Colorado City Marshal's Office
Max B. Horsley	Colorado City Marshal's Office
Alexander D. Lokker	Phoenix Police Department
Ingrid S. O'Malley	Scottsdale Police Department

3. Income and Expense Statement – July 2018

Funds as of July 1, 2018	\$2,040,245.78
CJEF Revenue (July 2018)	382,063.31
Misc. Revenue (July 2018)	109.47
Expenditures for July 2018	(247,274.09)
Balance as of July 31, 2018	\$2,175,144.47

4. Consent Agreements for Voluntary Relinquishment of Peace Officer Certification. The following individuals, without admitting to any misconduct, request the Board accept their request to permanently relinquish their Arizona peace officer certification:

Wilfredo Lopez	18-106	Sedona Police Department
Steven G. Ragan	18-103	Maricopa County Sheriff’s Office
Robert J. Gabrych	18-036	Surprise Police Department
Landon E. Rankin	18-091	AZ Department of Transportation - ECD

5. Non-Aggravating DUI Case for consideration and/or action as No Action with Agency Discretion:

Aubrey A. Lopez	18-066	Marana Police Department
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**D. Executive Director’s Report**

*Jack G. Lane, Executive Director*

- We had a very quick deadline to get our budget request to the Governor’s Office. We are requesting \$2.5 million in appropriated funds. This is the same request as last year where we received \$837,000 to allocate towards basic training.
- Attended the AACOP Conference in Laughlin on September 11-14.
- Matt Giordano’s first official day will be Tuesday, October 9.

**E. Legislative Update**

There is nothing new to report.

**F. Summary of Current Events**

*Jack G. Lane, Executive Director*

- Due to the number of vacancies we have, we were able to use vacancy savings to start much needed repairs on the facility. Those repairs include resealing of the roof and foundation repairs. The building will also be painted.

**G. Reports – Department of Corrections**

*Director Charles Ryan*

- Since the last regular meeting, 77 cadets have graduated from COTA. Currently there are four classes with 116 cadets in attendance. There are 984 vacancies statewide. Two cadets

have graduated through county IGAs. TSU Training was conducted at COTA. The inmate population continues to decline; there are currently less than 42,000 inmates.

**H. Review, Discussion and Possible Action on a Petition from the Buckeye Police Department for a Restricted Peace Officer Certification for Lieutenant-Legal Advisor Michael Saltz**

Chief Hall recused himself from this case because it involves a lieutenant with his agency. This resulted in a lack of a quorum. This matter was tabled.

**I. Final Action Cases:**

1. 17-166 – Jeremy W. Cochran – Coconino County Sheriff’s Office

The Board considered comments from Assistant Attorney General Seth Hargraves, who provided a brief overview of the case and the terms of the proposed consent agreement. Kathryn Baillie, attorney for Jeremy Cochran, advised the Board she was available to answer any questions. Sheriff Dannels made a motion to accept the Consent Agreement, Decision and Order for an 18-month suspension of Mr. Cochran’s peace officer certification. The suspension shall be in effect from January 18, 2017 through July 18, 2018. The motion was seconded by Director Ryan and passed unanimously.

2. #18-035 – Nathaniel L. Lolovich – Bullhead City Police Department

The Board considered comments from Assistant Attorney General Seth Hargraves, who provided a brief overview of the case and the terms of the proposed consent agreement. Chief Gwaltney made a motion to accept the Consent Agreement, Decision and Order for a 1-year suspension of Mr. Lolovich’s peace officer certification. The suspension shall be in effect from January 11, 2018 through January 11, 2019. The motion was seconded by Mr. Ahler (AAG) and passed with two nay votes recorded for Sheriff Dannels and Director Ryan.

3. #18-073 – Michael R. Terranova – Phoenix Police Department

The Board considered comments from Assistant Attorney General Seth Hargraves, who provided a brief overview of the case and the terms of the proposed consent agreement; he also referred the Board to the letters of support that had been submitted by Mr. Terranova. Eric Wilson, attorney for Michael Terranova, advised the Board that he was available to answer any questions. Sheriff Dannels made a motion to accept the Consent Agreement, Decision and Order for a 6-month suspension of Mr. Terranova’s peace officer certification. The suspension shall be in effect from March 19, 2018 through September 19, 2018. The motion was seconded by Chief Hall and passed unanimously.

4. #18-013 – Kevin R. Hevel – Navajo Division of Public Safety

The Board considered comments from Assistant Attorney General Seth Hargraves. Mr. Ahler (AAG) made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Hevel’s peace officer certification. The motion was seconded by Director Ryan and passed unanimously.

5. #18-070 - Mark A. McKenna – Tucson Police Department  
The Board considered comments from Compliance Manager Mark Perkovich. Mr. Ahler (AAG) made a motion to accept the Findings of Fact and Conclusions of Law and deny peace officer certification to Mr. McKenna. The motion was seconded by Chief Hall and passed unanimously.
6. #16-123 – Scott D. Nelson – Gila River Police Department  
The Board considered comments from Compliance Manager Mark Perkovich. Chief Hall made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Nelson's peace officer certification. The motion was seconded by Sheriff Dannels and passed unanimously.
7. #17-186 – Jasson Peterson – Peoria Police Department  
The Board considered comments from Compliance Manager Mark Perkovich. Sheriff Dannels made a motion to accept the Findings of Fact and Conclusions of Law and revoke Mr. Peterson's peace officer certification. The motion was seconded by Director Ryan and passed unanimously.

**J. New Charging Cases:**

1. #18-101 – Keanu C. Curley – Ft. McDowell Police Department  
The Board considered comments from Compliance Specialist William Caldwell. Mr. Ahler (AAG) made a motion to **Initiate Proceedings** against Mr. Curley's peace officer certification. The motion was seconded by Chief Gwaltney and passed unanimously.
2. #18-068 – Anthony J. Doran – Superior Police Department  
The Board considered comments from Compliance Specialist William Caldwell. Chief Hall made a motion to **Initiate Proceedings** against Mr. Doran's peace officer certification. The motion was seconded by Sheriff Dannels and passed unanimously.
3. #18-082 – Jason L. Jones – Salt River Police Department  
The Board considered comments from Compliance Specialist William Caldwell. Chief Gwaltney made a motion to close this case with **No Action with Agency Discretion**. The motion was seconded by Director Ryan and passed unanimously.

**K. Call to the Public**

No one wished to address the Board.

**L. Future Agenda Items**

There are no items to add.

**M. Adjournment**

The meeting was adjourned at 10:34 a.m.